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PATENT
1056-0125P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Shigeki HIBI et al. Conf.: 6122
Appl. No.: 10/689,088 Group: 1614
Filed: October 21, 2003 Examiner: UNASSIGNED
For: 7-PHENYLPYRAZOLOPYRIDINE COMPOUNDS

INFORMATION DISCLOSURE STATEMENT
(SUBMISSION AFTER FILING OF AN APPLICATION
BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE
OR CONCURRENTLY WITH A RULE 1.114 RCE APPLICATION)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

JUL 16 2004

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449(s), attached hereto.

II. COPIES (check at least one box)

- a. ☐ This application was filed before June 30, 2003. Accordingly, submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- b. ☒ This application was filed on or after June 30, 2003. Accordingly, copies of cited U.S. patents and patent application publications therefore are not included. Copies of foreign patent documents and non-patent literature are included.

- c. ☐ Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

III. CONCISE EXPLANATION OF THE RELEVANCE
(check at least one box)

- a. ☒ **DOCUMENTS IN THE ENGLISH LANGUAGE**

The patents, publications, or other information listed on the attached PTO 1449 are in the English language and therefore, do not require a statement of relevancy.

- b. ☐ **DOCUMENTS NOT IN THE ENGLISH LANGUAGE**

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

- c. ☐ **ENGLISH LANGUAGE SEARCH REPORT**

An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III)(A)(3).

- d. ☐ **OTHER**

The following additional information is provided for the Examiner's consideration.

FEES

IV. ☒ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b):
(check one box)

- a. ☐ within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or statement is required. *(This section is not to be used with RCE's.)*
- b. ☐ within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or statement is required.
- c. ☐ concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required.
- d. ☒ before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or statement is required.
In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the statement under 37 C.F.R. § 1.97(e) below, or, if no statement has been made, charge our deposit account in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

V. ☐ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):
(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c)(1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c)(2)).

- a. ☐ No statement; therefore, a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).
- or
- b. ☐ See the statement below. No fee is required.

VI. STATEMENT UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby states that

- a. ☐ each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than 30 days prior to the filing of this IDS; or
- b. ☐ each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- c. ☐ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.
- d. ☐ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VII. PAYMENT OF FEES (check one box)


- ☐ A check in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p) is enclosed for the above-identified fee.
- ☐ Please charge Deposit Account No. 02-2448 in the amount required by 37 C.F.R. § 1.17(p) for the above-indicated fee. A triplicate copy of this paper is attached.
- ☒ No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

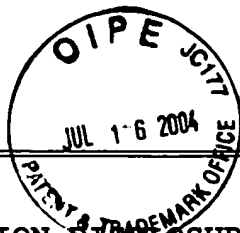
BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

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John W. Bailey, #32,881
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachment(s): ☒ PTO-1449
☒ Documents
☐ Foreign Search Report
☐ Fee
☐ Other:

(Rev. 05/14/2004)



Form PTO-1449	ATTY. DOCKET NO. 1056-0125P	APPLICATION NO. 10/689,088
INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	APPLICANT Shigeki HIBI et al.	
	FILING DATE October 21, 2003	GROUP 1614

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	Kind	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	US						

FOREIGN PATENT DOCUMENTS

	Office	DOCUMENT NUMBER	Kind	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
								YES	NO

OTHER DOCUMENTS

(Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.)

	VALE et al., Science, Vol. 213, pp. 1394-1397, (1981).
	RIVIER et al., Proc. Natl. Acad. Sci, Vol. 80, pp. 4851-4855, (1983).
	SHIBAHARA et al., EMBO Journal, Vol. 2, No. 5, pp. 775-779, (1983).
	SASAKI et al., J. of Clin. End. And Metab., Vol. 65, No. 1, pp. 176-182, (1987).
	SASAKI et al., J. of Clin. End. And Metab., Vol. 67, No. 4, pp. 768-773, (1988).
	GARRICK et al., Reg. Peptides, Vol. 21, pp. 173-181, (1988).
	PETRUSZ et al., Peptides, Vol. 5, Sup. 1, pp. 71-78, (1984).
	CHALMERS et al., J. of Neuro., Vol. 15, No. 10, pp. 6340-6350, (1995).
	LIAW et al., Endocrinology, Vol. 137, No. 1, pp. 72-77, (1996).
	VALDENAIRE et al., BBA, Vol. 1352, pp. 129-132, (1997).
	GREEP, R., Recent Prog. Horm. Res., Vol. 39, pp. 245-270, (1983).
	DUNN et al., Brain Research Reviews, Vol. 15, pp. 71-100, (1990).
	OWENS et al., Pharmacol. Rev., Vol. 43, No. 4, pp. 425-473, (1991).

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

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	BANKI et al., Am. J. Psychiatry, Vol. 144, No. 7, pp. 873-877, (1987).						
	RAADSHEER et al., Am. J. Psychiatry, Vol. 152, No. 9, pp. 1372-1376, (1995).						
	NEMEROFF et al., Arch. Gen. Psychiatry, Vol. 45, pp. 577-579, (1988).						
	GOLD et al., N. Engl. J. Med., Vol. 314, No. 21, pp. 1329-1335, (1986).						
	ALTEMUS et al., Arch. Gen. Psychiatry, Vol. 51, pp. 794-803, (1994).						
	BREMNER et al., Am. J. Psychiatry, Vol. 154, No. 5, pp. 624-629, (1997).						
	CHAPPELL et al., Biol. Psychiatry, Vol. 39, pp. 776-783, (1996).						
	ROY-BYRNE et al., Am. J. Psychiatry, Vol. 143, No. 7, pp. 896-899, (1986).						
	MÖNNIKES et al., Brain Research, Vol. 574, pp. 70-76, (1992).						
	BUTLER et al., J. of Neuroscience, Vol. 10, No. 1, pp. 176-183, (1990).						
	STENZEL-POORE et al., J. of Neuroscience, Vol. 14, No. 5, pp. 2579-2584, (1994).						
	OWENS et al., J. of Pharm. And Exp. Ther., Vol. 258, No. 1, pp. 349-356, (1991).						
	KALIN et al., Brain Research, Vol. 509, pp. 80-84, (1990).						
	TAZI et al., Reg. Peptides, Vol. 18, pp. 37-42, (1987).						
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	BALDWIN et al., Psychopharmacology, Vol. 103, pp. 227-232, (1991).						
	SIRINATHSINGHJI et al., Nature, Vol. 305, pp. 232-235, (1983).						
	SHERMAN et al., Pharm. Bio. & Behavior, Vol. 26, pp. 699-703, (1987).						
	LYONS et al., Brain Research, Vol. 545, pp. 339-342, (1991).						
	STRIJBOS et al., Brain Research, Vol. 656, pp. 405-408, (1994).						
	EHLERS et al., Brain Research, Vol. 278, pp. 332-336, (1983).						
	WHITEHOUSE et al., Neurology, Vol. 37, pp. 905-909, (1987).						
	DE SOUZA et al., Brain Research, Vol. 437, pp. 355-359, (1987).						
	BEHAN et al., Nature, Vol. 378, pp. 284-287, (1995).						
	DIAMANT et al., Neuroendocrinology, Vol. 57, pp. 1071-1081, (1993).						
	STENZEL-POORE et al., Endocrinology, Vol. 130, No. 6, pp. 3378-3386, (1992).						
	HOTTA et al., J. Clin. Endocrinology, Vol. 62, No. 2, pp. 319-324, (1986).						
	LEVINE et al., Neuropharmacology, Vol. 22, No. 3A, pp. 337-339, (1983).						
	KRAHN et al., Brain Research Bulletin, Vol. 17, pp. 285-289, (1986).						
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	ARASE et al., Physiology & Behavior, Vol. 45, pp. 565-570, (1989).						
	PLOTSKY et al., Endocrinology, Vol. 130, No. 4, pp. 1931-1941, (1992).						
	NICHOLSON et al., Regulatory Peptides, Vol. 18, pp. 173-188, (1987).						
	TACHÉ et al., Am. J. Physiol., Vol. 253, pp. G241-G245, (1987).						
	BARQUIST et al., Am. J. Physiol., Vol. 262, pp. G616-G620, (1992).						
	GUNION et al., Am. J. Physiol., Vol. 258, pp. G152-G157, (1990).						
	BAKKE et al., Life Sciences, Vol. 45, pp. 907-916, (1989).						
	LENZ et al., Gastroenterology, Vol. 95, pp. 1510-1517, (1988).						
	FORD et al., Gastroenterology, Vol., 109, pp. 1772-1780, (1995).						
	LEMBO et al., Neurogastroenterol. Mot., Vol. 8, pp. 9-18, (1996).						
	FUKUDO et al., Gut, Vol. 42, pp. 845-849, (1998).						
	MORIMOTO et al., J. of Physiology, Vol. 460, pp. 221-229, (1993).						
	KARALIS et al., Science, Vol. 254, pp. 421-423, (1991).						
	CROFFORD et al., J. Clin. Invest., Vol. 90, pp. 2555-2564, (1992).						
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	CROFFORD et al., J. of Immun., Vol. 151, No. 3, pp. 1587-1596, (1993).							
	THEOHARIDES et al., Endocrinology, Vol. 139, No. 1, pp. 403-413, (1998).							
	SINGH et al., J. Pharmacol. Exp. Ther., Vol. 288, No. 3, pp. 1349-1356, (1999).							
	SCOPA et al., Am. J. of Pathology, Vol. 145, No. 5, pp. 1159-1167, (1994).							
	POLIAK et al., J. Immunol., Vol. 158, pp. 5751-5756, (1997).							
	MURAKAMI et al., Endocrine Journal, Vol. 44, No. 4, pp. 627-629, (1997).							
	SINGH et al., J. of Neuroimmunology, Vol. 23, pp. 257-262, (1989).							
	SINGH et al., Neuroscience Letters, Vol. 120, pp. 151-154, (1990).							
	JAIN et al., Endocrinology, Vol. 128, No. 3, pp. 1329-1336, (1991).							
	BÖHMER et al., E. J. of Pharmacology, Vol. 182, pp. 405-411, (1990).							
	NINK et al., Acta Endocrinologica, Vol. 127, pp. 200-204, (1992).							
	RIVIER et al., Science, Vol. 224, pp. 889-891, (1984).							
	MENZAGHI et al., J. of Pharm. & Exp. Ther., Vol. 269, No. 2, pp. 564-572, (1994).							
	CHEN et al., J. Med. Chem., Vol. 39, pp. 4358-4360, (1996).							
	WHITTEN et al., J. Med. Chem., Vol. 39, pp. 4354-4357, (1996).							
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	US 5,445,943	A	1995-08-29	Hoenes			
FOREIGN PATENT DOCUMENTS							
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		WO97/29109	A1	1997-08-14	PCT		
		WO98/08847	A1	1998-03-05	PCT		
		WO95/10506	A1	1995-04-20	PCT		
		WO95/34563	A1	1995-12-21	PCT		
		WO94/13661	A1	1994-06-23	PCT		
		WO94/13643	A1	1994-06-23	PCT		
		WO94/13644	A1	1994-06-23	PCT		
		WO94/13677	A1	1994-06-23	PCT		
		WO94/13676	A1	1994-06-23	PCT		
		EP0659747	A1	1995-06-28	EPO		
		EP0611766	A1	1994-08-24	EPO		
		WO97/29110	A1	1997-08-14	PCT		
		EP0433854	A2	1991-06-26	EPO		
		EP0433853	A1	1991-06-26	EPO		
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